

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

115 429

ORIGINAL
(Red)CERTIFIED MAIL
RETURN RECEIPT REQUESTED

SEP 9 1986

In Reply Refer To: 3HW12

Mr. Ray Dowling, President
Caloric Corporation
403 North Main Street
Topton, PA 19562

Re: Novak Sanitary Landfill
South Whitehall Township, Lehigh County, PA

Dear Mr. Dowling:

The U.S. Environmental Protection Agency (EPA) is seeking information concerning a release, or the threat of a release, of hazardous substances into the environment at the above referenced facility. Pursuant to the authority of Section 3007(a) of the Resource Conservation and Recovery Act ("RCRA"), 42 U.S.C. Section 6927(a), and Section 104(e) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 ("CERCLA"), 42 U.S.C. Section 9604(e), your company is requested to furnish all information and documents in its possession, custody or control, or in the possession, custody or control of any of its officers, employees or agents which concern, refer, or relate to hazardous substances as defined by Section 101(14) of CERCLA, 42 U.S.C. Section 9601(14). EPA is particularly interested in hazardous substances which were transported to, or stored, or disposed of at the Novak Sanitary Landfill, located along Orefield Road, South Whitehall Township, Lehigh County, PA. (See enclosed "Location Map")

All information and documents requested are due to the address listed below within ten (10) calendar days of receipt of this letter.

The response should include, but not be limited to, information and and copies of documentation concerning:

1. The types and quantities of the substances sent to the Novak Sanitary Landfill;
2. The dates that such substances were sent to Novak Sanitary Landfill;
3. The state of the substances sent to the Novak Sanitary Landfill and the method by which the substances were contained or disposed of (i.e., liquid or solid in drums or uncontained, placed in lagoons, landfilled, placed in piles, etc.);

CONCURRENCES

SYMBOL	3HW12	3HW12	3R012	3HW10		201487	
SURNAME	ZIA	HOGKISS	SMITH	SMITH			
DATE	9-2-86		9/1/86	9/1/86			

4. Any correspondence between you and any regulatory agency regarding such substances;
5. Any correspondence between you and any third parties regarding such substances;
6. Any documents relating to any other person who generated, treated, stored, transported or disposed, or who arranged for the treatment, storage, disposal, or transportation of such substances at the Novak Sanitary Landfill;
7. Any deeds, rights of way, leases, or other real interests which you have or have had in the Novak Sanitary Landfill, and;
8. The current custodian, location, description, and identity of any of the above referenced documents you were unable to obtain, and all efforts taken to obtain such documents;

In addition to the above information, if you are privately insured against releases of hazardous wastes or substances as a result of the handling of such materials, please inform us of the existence of such insurance and provide us with copies of all insurance policies.

As used herein, the term "documents" means writings (handwritten, typed or otherwise produced or reproduced) and includes, but is not limited to, any invoices, checks, receipts, bills of lading, weight receipts, toll receipts, correspondence, offers, contracts, agreements, deeds, leases, manifests, licenses, permits, bids, proposals, policies of insurance, logs, books of original entry, minutes of meetings, memoranda, notes, calendar or diary entries, agendas, bulletins, notices, announcements, charts, maps, photographs, drawings, manuals, brochures, reports of scientific study or investigation, schedules, price lists, telegrams, teletypes, phono-records, magnetic voice or video records, tapes, summaries, magnetic tapes, punch cards, recordings, discs, computer printouts, or data compilations from which information can be obtained or translated.

You are entitled to assert a claim of business confidentiality covering all or any part of the submitted information, in the manner described in 40 C.F.R. Section 2.203(b). Information subject to a claim of business confidentiality will be made available to the public only in accordance with the procedures set forth in 40 C.F.R. Part 2, Subpart B. Unless a business confidentiality claim is asserted at the time the requested information is submitted, EPA may make this information available to the public without further notice to you.

Failure or refusal to comply with this request within the specified period is a violation of Federal law which may result in further enforcement action, including but not limited to, civil penalties of up to \$25,000 per day of violation, and criminal fines of up to \$50,000 per day and/or imprisonment of up to two years, as stipulated in 42 U.S.C. §§ 6928(c), (d), and (g).

201488

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

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Please send the required information to:

Ms. Humane Zia
U.S. Environmental Protection Agency, Region III
CFRCLA Remedial Enforcement Section (3HW12)
841 Chestnut Building, 6th Floor
Philadelphia, PA 19107

If you have any questions concerning this matter, please contact
Humane Zia at (215) 597-8214.

This information collection request is not subject to Office of
Management and Budget review under the Paperwork Reduction Act, 44 U.S.C.
§§ 3501 - 3520.

Sincerely,

Bruce P. Smith, Chief
Hazardous Waste Enforcement Branch

Enclosure: Location Map

cc: Donald A. Lazarchik, P.E., Director
Pennsylvania Department of Environmental Resources
Bureau of Solid Waste Management

201489

CONCURRENCES

SYMBOL								
SURNAME								
DATE								

P 282 586 350
RECEIPT FOR CERTIFIED MAIL
NO INSURANCE COVERAGE PROVIDED
 NOT FOR INTERNATIONAL MAIL
 (See Reverse)

U.S.G.P.O. 1985-480-794

Sent to RAY DENLING, PRESIDENT CALORIC CORP.	
Street and No. 403 N. MAIN ST.	
P.O., State and ZIP Code TORTON, PA 19562	
Postage	S
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt showing to whom and Date Delivered	
Return Receipt showing to whom, Date, and Address of Delivery	
TOTAL Postage and Fees	S
Postmark or Date	

PS Form 3800, June 1985

PS Form 3811, July 1983 447-840

SENDER: Complete items 1, 2, 3 and 4.
 Put your address in the RETURN TO space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for service(s) requested.

1. ☒ Show to whom, date and address of delivery.
 2. ☐ Restricted Delivery.

3. Article Addressed to:
MR. RAY DENLING, PRESIDENT
CALORIC CORP.
403 N. MAIN ST.
TORTON, PA 19562

4. Type of Service:
☐ Registered ☐ Insured
☐ Certified ☐ COD
☐ Express Mail

Article Number
ORIGINAL
P 282 586 350

Always obtain signature of addressee or agent and
DATE DELIVERED:

5. Signature - Addressee
 X

6. Signature - Agent
 X *Joseph W. Denling*

7. Date of Delivery
09-12-86

8. Addressee's Address (ONLY if requested and fee paid)
201490

DOMESTIC RETURN RECEIPT